

## IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

10	KEVIN GODINEZ MALDONADO,	)	No. C 10-1629 LHK (PR)
11	Plaintiff,	)	ORDER DENYING
12	v.	)	PLAINTIFF'S MOTION FOR
13	DEPUTY JENNIFER CLAMON, et al.,	)	APPOINTMENT OF COUNSEL;
14	Defendants,	)	ORDER DENYING
15		)	EXTENSION OF TIME TO
			RESPOND TO RULE 56
			MOTION
			(Docket Nos. 17 and 18)

16 Plaintiff, proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983  
17 against prison officials. Before the Court is Plaintiff's Motion for Appointment of Counsel and  
18 Motion for Extension of Time to Respond to Rule 56.

19 Plaintiff's Motion for Appointment of Counsel (docket no. 17) is DENIED for want of  
20 exceptional circumstances. *See Rand v. Rowland*, 113 F.3d 1520, 1525 (9th Cir. 1997); *see also*  
21 *Lassiter v. Dep't of Social Services*, 452 U.S. 18, 25 (1981) (there is no constitutional right to  
22 counsel in a civil case). The issues in this case are not particularly complex and Plaintiff has thus far  
23 been able to adequately present his claims. This denial is without prejudice to the Court's sua  
24 sponte appointment of counsel at a future date should the circumstances of this case warrant such  
25 appointment.

26 Plaintiff has also filed a Motion for Extension of Time to Respond Defendants' Rule 56  
27 Motion, however, Defendants have not yet filed any dispositive motion. Therefore, Plaintiff's  
28 Motion for Extension of Time (docket no. 18) is DENIED as premature.

Order Denying Plaintiff's Motion for Appointment of Counsel; Order Denying Extension of Time to Respond to Rule 56

Motion

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1           This order terminates docket nos. 17 and 18.  
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3           IT IS SO ORDERED.

4           DATED: 11/11/10

  
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LUCY H. KOH  
United States District Judge